

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN CIVIL LIBERTIES UNION, and  
AMERICAN CIVIL LIBERTIES UNION OF  
MASSACHUSETTS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
JUSTICE, FEDERAL BUREAU OF  
INVESTIGATION, and DRUG  
ENFORCEMENT ADMINISTRATION

Defendants.

C.A. No. 1:19-CV-12242-WGY

**JOINT STATEMENT**

Plaintiffs American Civil Liberties Union (“ACLU”) and American Civil Liberties Union of Massachusetts (“ACLUM”) (collectively, the “Plaintiffs”) and Defendants United States Department of Justice (“DOJ”), Federal Bureau of Investigation (“FBI”), and Drug Enforcement Administration (“DEA”) (collectively, the “Defendants”) hereby submit this joint statement and proposed schedule for the litigation.

This is a FOIA case arising from a request for records submitted by the Plaintiffs to the Defendants on January 18, 2019. *See* Complaint (D.E. 1) ¶23 & Ex. A. The parties previously conferred regarding the proposed schedule for the initial phase of this litigation. The parties jointly proposed, and the Court adopted, the following schedule:

- February 17, 2020: DEA produces all responsive records;
- March 16, 2020: FBI begins rolling production of responsive records; and
- May 15, 2020: Parties submit status report and updated scheduling proposal, including proposed deadline for FBI to complete production of records.

DEA has completed its intended production, and Plaintiffs are reviewing those records.

After an initial production, FBI was delayed in making further productions due to logistical difficulties arising from the coronavirus pandemic. FBI subsequently made productions dated June 30, July 29, and August 28.

Counsel for the Defendants is currently inquiring with the FBI concerning the volume of potentially responsive records that remain for review and potential production. Based on that information, the parties anticipate that the Court will be in a position at the status conference to set a schedule for the completion of the Defendants' productions, for the parties to then confer regarding any disputes concerning the adequacy of the search or the scope of any redactions or withholding, and, to the extent such disputes cannot be resolved by agreement, for the filing of dispositive motions.

Dated: September 1, 2020

FOR THE PLAINTIFFS,

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